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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
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11 KENNETH L. FINNELL, JR.,)	Case No. LA CV 17-05488-VBF-FFM
12 Petitioner,)	ORDER
13 v.)	Overruling the Petitioner's Objections,
14)	Adopting the R&R,
15 R.J. RACKLEY (Warden),)	Dismissing Habeas Petition With Prejudice
16 Respondent.)	Directing Entry of Separate Judgment and
17)	Terminating the Case (JS-6)

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19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire record in this action,
20 including the petition for a writ of habeas corpus, CM/ECF Document ("Doc") 1; the
21 Magistrate Judge's August 25, 2017 Order to Show Cause Why the Action Should Not Be
22 Dismissed for Untimeliness (Doc 5) and petitioner's September 25, 2017 and September
23 10, 2018 responses thereto (Docs 6 and 13); the Final Report and Recommendation of the
24 United States Magistrate Judge ("R&R") issued July 30, 2018 (Doc 9), and petitioner's
25 timely August 20, 2018 objections to the R&R (Doc 11). Under Fed. R. Civ. P. 72(b), the
26 time for the respondent warden to respond to the objections elapsed in September 2018, and
27 the warden neither filed objections nor sought more time in which to do so. Finding no
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1 defect of law, fact, or logic in the well-reasoned R&R, the Court will adopt the Magistrate
2 Judge's findings and conclusions and implement his recommendations.

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4 ORDER

5 Petitioner Finnell's objection **[Doc #11] is OVERRULED.**

6 The Report and Recommendation **[Doc #9] is ADOPTED.**

7 The petition for a writ of habeas corpus **[Doc #1] is DISMISSED with prejudice.**

8 Final judgment shall be entered as a separate document per Fed. R. Civ. P. 58(a).

9 The Court will rule on a certificate of appealability by separate order.

10 IT IS SO ORDERED.

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12 Dated: January 2, 2019

Valerie Baker Fairbank

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VALERIE BAKER FAIRBANK
15 Senior United States District Judge
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